

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: February 14, 1996

SUBJECT: **SB 2627 - HB 2781**

This bill, if enacted, will limit litigation by inmates incarcerated in state or county facilities. The bill also requires the Commissioner of the Department of Correction to forfeit an inmate's sentence credits of 60 to 120 days when second or subsequent frivolous or malicious suit has been dismissed.

The fiscal impact from enactment of this bill is estimated to be an increase in state expenditures of \$134,000 for additional incarceration* when sentence credits are forfeited and a cost avoidance for state government of \$77,500 for correctional staff time, attorney's fees and court time. This estimate is based upon 50 lawsuits per year by inmates found to be frivolous in state courts.

Enactment of this bill is also estimated to result in an increase in local government expenditures for incarceration and a decrease in local government expenditures for legal expenses. The amounts cannot be determined but are estimated to be not significant.

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

*Section 9-6-119, TCA, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*